IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 13TH JUNE 2007 / 23RD JYAISHTA 1929

WP(C).No. 5039 of 2005(Y)

PETITIONERS:

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1. **A.P. ANTONY, JOINT MANAGING PARTNER & LICENSEE OF FL-3 LICENSE NO.10/2004-05, APSARA TOURIST HOME, SHORNUR, PALAKKAD DISTRICT.**
2. **P.A. RADHAKRISHNAN, JOINT MANAGING PARTNER & LICENSEE OF FL-3 LICENSE NO.10/2004-05, APSARA TOURIST HOME, SHORNUR, PALAKKAD DISTRICT.**
3. **SAJEEV ANTONY, PARTNER, APSARA TOURIST HOME, SHORNUR, PALAKKAD DISTRICT.**

BY ADV. SRI.GEORGE POONTHOTTAM.

RESPONDENTS:

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1. **THE EXCISE COMMISSIONER, THIRUVANANTHAPURAM.**
2. **THE ASSISTANT EXCISE COMMISSIONER, PALAKKAD.**

BY GOVERNMENT PLEADER SMT. K.R. DEEPA.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 13/06/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C). NO.5039/2005:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE APPLICATION DTD. 30/09/2003.

EXT.P.2: COPY OF THE LETTER OF THE R.1. DTD. 24/04/2004.

EXT.P.3: COPY OF THE APPLICATION DTD. 31/12/2004.

EXT.P.4: COPY OF THE COMMUNICATION GIVEN BY THE R.2. TO THE CIRCLE INSPCTOR OF EXCISE DTD. 14/01/2005.

EXT.P.5: COPY OF THE LICENSE ISSUED IN THE NAME OF PETITIONERS 1 AND 2.

//TRUE COPY//

prv.

KURIAN JOSEPH J.

W.P.(C) No.5039 of 2005

Dated 13th June, 2007.

J U D G M E N T

In view of the intervening developments whereby the rules have been amended in the light of the new abkari policy, the petitioners seek liberty to approach the licensing authority, in the light of the amended rules. Ordered accordingly and the writ petition is disposed of.

KURIAN JOSEPH, JUDGE.

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KURIAN JOSEPH, J.

O.P. NO. OF 2003

J U D G M E N T

Dated 13th June, 2007.